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Posted: 4/21/2020**Publication:** The Bulletin

Ad Text

Legal Notice

USDA Forest Service

Deschutes National Forest

Notice of 45-day Objection Filing Period

Visual Analysis Forest Plan Amendments

This legal notice announces the availability of the draft Decision Memo for the Visual Analysis Forest Plan Amendments and provides information on how object to the draft decision. The Deschutes National Forest Supervisor is proposing to permanently amend 12 standards and guidelines to allow for landscape architects, recreation specialists, or National Environmental Policy Act (NEPA) specialists to review projects within Management Area (MA) 9 Scenic Views, MA 18 Front Country, MA 21 Metolius Black Butte Scenic, and MA 26 Metolius Scenic Views and to analyze the impacts of project activities on scenic views in these areas in future projects.

Based on the direction provided in the revised 2012 Planning Rule (36 Code of Federal Regulations [CFR] 219), a review of the provisions in 36 CFR 219.8 (http://219.8) through 219.11 (http://219.11) is required for forest plan amendments. After a review of these substantive requirements, the following has been determined to apply to the proposed amendments and is addressed in the analysis: 36 CFR 219.10 (http://219.10)(a)(1) Aesthetic values, scenery, and viewsheds.

The analysis has been completed and the draft Decision Memo is now subject to the predecisional administrative review (objection) process pursuant to 36 CFR 219 subpart B. The draft Decision Memo can be found on the Deschutes National Forest's website at: <https://www.fs.usda.gov/project/?project=57249>.

During the objection period, only individuals or organizations that submitted specific written comments (36 CFR 219.53 (http://219.53)) during a designated comment period may object. Objections must meet the requirements of 36 CFR 219.54 (http://219.54).

Issues raised in objections must be based on previously submitted specific written comments regarding the proposed amendments and attributed to the objector, unless the issue is based on new information that arose after the opportunities for comment. The burden is on the objector to demonstrate compliance with the requirement for objection issues (36 CFR 219.54 (http://219.54)(c)(7)). Minimum requirements of an objection are described at 36 CFR 219.54 (http://219.54)(c), and must include the objector's name, address, telephone number, and email, if available. An objection must include a statement of the issues and/or parts of the forest plan amendments to which the objection applies; a concise statement explaining the objection and suggesting how the proposed amendments may be improved. If applicable, the objection should identify how the objector believes that the plan amendments are inconsistent with law, regulation, or policy; and a statement that demonstrates the link between prior specific written comments attributed to the objector and the content of the objection, unless the objection concerns an issue that arose after the opportunities for formal comment. Incorporation of documents by reference is not allowed, except as described at 36 CFR 219.54 (http://219.54)(b).

At this time, we strongly encourage you to submit objections electronically. Please submit to objections-pnw-regional-office@usda.gov (mailto:objections-pnw-regional-office@usda.gov). Please put OBJECTION and the project name in the subject line. Electronic objections must be submitted as part of an actual e-mail message, or as an attachment in Microsoft Word (.doc or .docx), rich text format (.rtf), or portable document format (.pdf) only. For electronically mailed objections, the sender should receive an automated electronic acknowledgement from the agency as confirmation of receipt. If the sender does not receive an automated acknowledgement of receipt of the objection, it is the sender's responsibility to ensure timely receipt by other means. Mail: Objections can be mailed to the Reviewing Officer at the address below. Objections delivered by mail must be postmarked by the closing day of the objection filing period and received before close of the fifth business day following the end of the objection period. If you are using postal mail or carrier (UPS/FedEx), please notify Debbie Anderson (debbie.anderson2@usda.gov) or 503-808-2286 so that we may ensure

your objection has been received. Postal mail: Regional Forester (Reviewing Officer), Pacific Northwest Regional Office, Attn: 1570 Objections, P.O. Box 3623, Portland, OR 97208-3623. For FedEx or UPS deliveries, please send to: Regional Forester (Reviewing Officer), Pacific Northwest Regional Office, Attn: 1570 Objections, 1220 SW Third Avenue, Portland, OR 97204.

Hand-delivery/Fax: Objections can only be hand-delivered or faxed by appointment only at this time, due to the current COVID-19 pandemic and Executive Order by Governor Brown. Please call Debbie Anderson at 503-808-2286 to make an appointment to hand-deliver your objection or request the fax number. Objections, including attachments, must be received by the Reviewing Officer, Regional Forester (or postmarked if submitted via US Mail), within 45 days following publication of this notice of the objection filing period in The Bulletin, Bend, OR. The publication date of this notice is the exclusive means for calculating the time to file an objection. Those wishing to file an objection should not rely upon dates or timeframe information provided by any other sources. The regulations prohibit extending the time to file an objection. The regulations prohibit extending the time to file an objection.

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